

Check # 4407

19-NE-003928

State of Wisconsin  
Department of Natural Resources  
PO Box 7921, Madison WI 53707-7921  
dnr.wi.gov

## Fish Farm Application For Use of Natural Body of Water

Form 3600-227 (R 3/13)

Page 1 of 2

**Notice:** Use of this form is required by the Department for any application filed pursuant to ss. 29.733, Wis. Stats., and ss. NR 19.90-95, Wis. Adm. Code. The department will not consider your application unless you provide all information requested and submit the fee(s) indicated for the permit(s) selected. A social security number or federal employer identification number is **REQUIRED** when applying for a license listed in ss. 29.024(2g) or 29.024(2r), Wis. Stats. The number **SHALL NOT** be disclosed to any other person except the Department of Workforce Development or the Department of Revenue to determine liability for delinquent Wisconsin taxes or child or family support. Other personally identifiable information requested on this form will be used for program administration and may be provided to requesters as required by Wisconsin's Open Records law [ss. 19.31-19.39, Wis. Stats.].

Mail this form with its attachments and required fee to WDNR -Natural Waterbody Permits FH/4, PO Box 7921 Madison, WI 53707-7921.

## Applicant Information

Applicant Name: First MI Last <i>Harry Charles Porter</i>				Co-Applicant Name: First MI Last			
Address <i>E 5395 City T</i>				Address			
City <i>Sturgeon Bay</i>		State <i>WI</i>	ZIP Code <i>54235</i>	City		State	ZIP Code
Phone Number <i>920-743-2114</i>		Social Security No./ Fed. Employer ID No.		Phone Number		Social Security No./ Fed. Employer ID No.	

## Project Information

Business Name (if any) <i>Porter's Pines</i>				Waterway Name					
Address <i>E 5395 City T, Sturgeon Bay</i>				Water Source (identify as gallons per minute, gpm)					
<input type="radio"/> City <input checked="" type="radio"/> Town <input type="radio"/> Village of <i>Sturgeon Bay</i> County <i>Door</i>				Spring	Well	Stream	City Water	Other	Specify Other <i>Ground Water</i>
Fire Number (if applicable) <i>E 5395 City T</i>				Is there a discharge to a water of the state? <input type="radio"/> Yes <input checked="" type="radio"/> No					
$\frac{1}{4}$ $\frac{1}{4}$ <i>NE <math>\frac{1}{4}</math></i>	$\frac{1}{4}$ <i>NW</i>	Section <i>3</i>	Township <i>27 N</i>	Range <i>26</i>	<input checked="" type="radio"/> E <input type="radio"/> W		If Yes, Indicate: <input type="checkbox"/> Waterway <input type="checkbox"/> Wetland		Discharge (gpm)

## Project Description

A "natural body of water" is defined in Wisconsin law as any spring, stream, pond, lake or wetland that was historically present in a natural state but may have been physically altered over time. A "freeze-out pond" is defined in Wisconsin law as a natural, self-contained body of water in which freezing or anoxic conditions prevent the body of water from naturally sustaining a fish population at least twice every 5 years.

Operating a fish farm in a Natural Body of Water requires a permit under NR 19, Wis. Adm. Code. I am applying for:

- ☒ **NR 19 Permit Renewal** - for continued use of a natural waterbody that was previously permitted as a preexisting fish rearing facility or a freeze-out pond.
- ☐ **Initial NR 19 Permit** - for new use of a natural waterbody for fish farming (note, the waterbody must be a freeze-out pond).
- ☐ **Transfer of NR 19 Permit** - to convey an existing NR 19 permit from one party to another, as a result of change in ownership or leasehold interest of a fish farm.

Number and dimension of ponds, raceways or tanks. Describe here and attach a diagram (Attachment # 4)

*1 pond, Approx 1/2 acre*

Business Purpose: Activities engaged in. (select all that apply)

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> Distributor           | <input type="checkbox"/> Processor, On-Site                   | <input type="checkbox"/> Public Fee Fishing                                    |
| <input type="checkbox"/> Hatchery              | <input type="checkbox"/> Grower                               | <input type="checkbox"/> Raising Fish For Stocking                             |
| <input type="checkbox"/> Raising Bait For Sale | <input checked="" type="checkbox"/> Private, Personal Fishing | <input type="checkbox"/> Raising Fish to Directly Market for Human Consumption |
| <input type="checkbox"/> Other - Specify:      |   |  |

1. What type of pesticides do you currently use or plan to use?

*None*

2. Is your fish farm equipped with barriers that prevent the passage of fish between it and other water of the state? ☒ Yes ☐ No

3. If you are applying for an NR 19 Permit Renewal, have you made any facility changes - expansion, additional ponds, different species reared, etc. - over the last ten years?

☐ Yes ☒ No If yes, describe:



**Species Information**

Complete the following information regarding your operation: List the quantity of each size of the species of fish you possess or plan to raise on an annual basis in each pond, raceway, natural body of water, freeze-out pond, self-contained body of water or preexisting fish rearing facility.

Fish	Eggs	Fry	Fingerling	Yearling	Adult	Fish	Eggs	Fry	Fingerling	Yearling	Adult
Bass						Bluegill					
Largemouth						Crappie					
Bass											
Smallmouth						Perch					
Bullhead					100	Pumpkinseed					
Muskellunge						Sunfish					
Northern Pike						Tilapia					
Walleye						Brook Trout					
Chubs						Brown Trout					
Minnows						Lake Trout					
Shiners						Rainbow Trout					
Suckers						Other (List):					
Atlantic Salmon											
Chinook Salmon											
Coho Salmon											

**Attachments (Provide all of the following)**

1. Location sketch or map showing route to the project site, indicating nearest main road and crossroad, north arrow and scale.
2. Photocopy of deed, lease, land contract or other documentation showing that the land that is riparian to the body of water is owned, leased, or controlled by the permit applicant. *- Tax Bill*
3. Photocopy of plat book showing property owners; photocopy of any easements for all properties surrounding the waterbody; and other documentation to show that none of the owners of the fish farm or riparian lands provide public access to the body of water by means of an easement or right-of-way or by means of a business open to the public. Note: the owners of the fish farm may allow fishing by the public for a fee.
4. Diagram showing number and dimensions of all ponds, raceways, tanks or other waterbodies to be used for fish farming.
5. For an Initial NR 19 Permit – Documentation to show the natural waterbody is a "freeze-out pond", meaning it is self-contained and has freezing or anoxic conditions that prevent a naturally-sustaining fish population at least twice every five years.
6. For a Transfer of NR 19 Permit – Photocopy of the previous owner's NR 19 permit, and documentation to show change of ownership.
7. Photocopy of any other permits or authorizations required by Ch. 30 or 31, Wis. Stats., the Army Corps of Engineers and any other federal, state or local laws and zoning ordinances for construction or operation of the fish farm. (Note: Permits issued under Ch. 30.19, 30.195 or 31.04 may mean your waterbody is exempt from a permit requirement.)
8. Photocopy of Department of Agriculture, Trade and Consumer Protection (DATCP) Fish Farm Registration from current or previous year.

Note: If conditions 2, 3, and 7 are met, then the DNR may find that your fish farm is exempt from a Natural Waterbody permit requirement. If so, the DNR will return your application and notify you of this finding.

**Type of Permit and Fees**

- ☐ Transfer of NR 19 Permit - \$100 fee
- ☐ Initial NR 19 Permit - \$ 500 fee
- ☒ NR 19 Permit Renewal- \$50 fee.

Make check or money order payable to the Department of Natural Resources (DNR)

Total Fees Enclosed: *\$50.00*

**Application Certification**

Signature of Authorized Representative *H. P.*

Date Signed *5-31-13*

**Leave Blank – DNR Use Only**

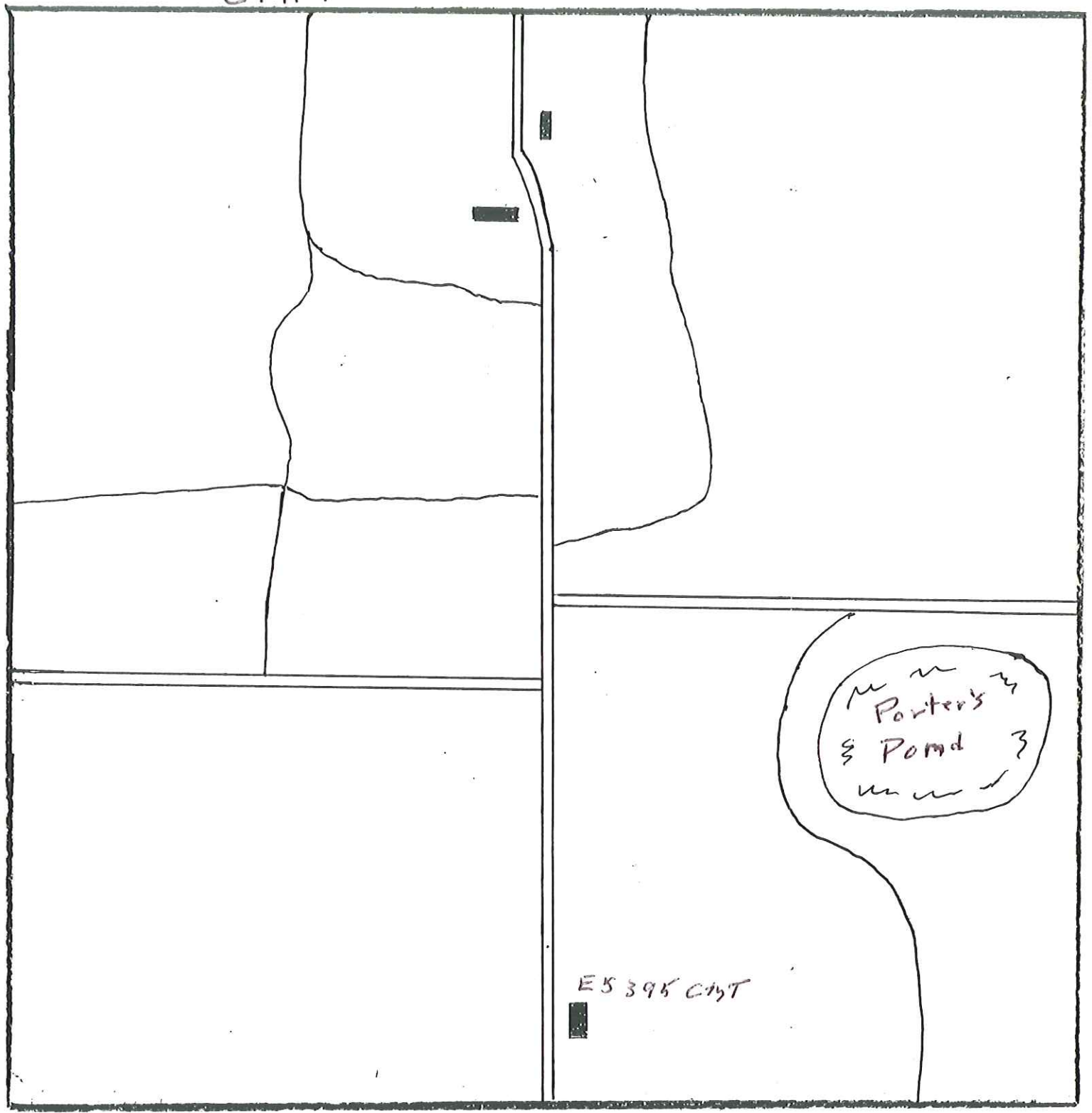
Received By	Date Received	DNR Docket Number	Application Date
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Porter's Pines ~~n. Needles~~  
E5395 Cty. T 743-2114  
Sturgeon Bay, WI 54235

8" = 1/4 mile



CTHT



NE 1/4 NW 1/4, Sec. 3, T 26N, R 26E

Lily Bay Rd



STATE OF WISCONSIN - DOOR COUNTY  
REAL ESTATE PROPERTY TAX BILL FOR 2012  
TOWN OF STURGEON BAY

LOCAL TREASURER:

LYNNE GUSTAFSON  
2067 TAUBE RD  
STURGEON BAY WI 54235

(920)743-9426



DOOR COUNTY

www.co.door.wi.gov

Parcel No. 024-02-03272621 R

Bill No. 024-0142

All correspondence should refer to the Parcel No.  
See Reverse Side for Important Information

IMPORTANT: Be sure this description covers your property.

Note that this description is for the tax bill only and may  
not be a full legal description.

Legal Description / Location of Property:

40.63 ACRES  
5395 E CTH T  
V 196/359  
NE 1/4 NW 1/4 SEC 3-27-26

PORTER  
HARRY C  
E5395 COUNTY HIGHWAY T  
STURGEON BAY WI 54235

Assessed Value Land	Ass'd Value Improvements	Total Assessed Value	Ave. Assmt. Ratio	Est. Fair Mkt. Land	Est. Fair Mkt. Improvements	Total Est. Fair Mkt.	A star in this box means unpaid prior year taxes.
45,700	231,000	276,700	1.0898	SEE REVERSE, USE VALUE ASSESSMENT			
Taxing Jurisdiction		2011 Est. State Aids Allocated Tax Dist.	2012 Est. State Aids Allocated Tax Dist.	2011 Net Tax	2012 Net Tax	% Tax Change	Net Property Tax
STATE OF WISCONSIN					43.09		2,492.70
DOOR COUNTY		32,122	27,459		902.34		
TOWN STURGEON BAY		83,975	83,847		187.62		
VOCATIONAL SCHOOL		49,581	46,660		420.67		
SEVASTOPOL SCHOOL		207,276	38,299		1,019.84		
Total		372,954	196,265		2,573.56		TOTAL DUE FOR FULL PAYMENT PAY BY JANUARY 31, 2013 \$ 2,492.70 Warning: If not paid by due dates, installment option is lost and total tax is delinquent subject to interest and, if applicable, penalty. Failure to pay on time. See reverse.
		First Dollar Credit			33.78		
		Lottery and Gaming Credit			47.08		
		Net Property Tax			2,492.70		
School taxes reduced by school levy tax credit.		\$279.87	Net Assessed Value Rate (Does NOT reflect Credits)		\$9.300921		

TOWN OF STURGEON BAY  
COUNTY OF DOOR  
2012 TAXES



PORTER  
HARRY C  
E5395 COUNTY HIGHWAY T  
STURGEON BAY WI 54235

Parcel No. 024-02-03272621 R  
Bill No. 024-0142

PAY 2ND INSTALLMENT - \$ 1,269.89

By July 31, 2013

REMEMBER TO PAY TIMELY TO AVOID  
INTEREST PENALTY OF 10.5% IN AUGUST 2013

MAKE CHECK PAYABLE & MAIL TO:

JAY ZAHN  
DOOR COUNTY TREASURER  
421 NEBRASKA ST  
STURGEON BAY WI 54235  
(920)746-2286

Tear off this stub and include with your payment. If receipt is needed, send stamped, self-addressed envelope. If payment is made by check, receipt is not valid until check has cleared all banks.



## T27N-B26-27E

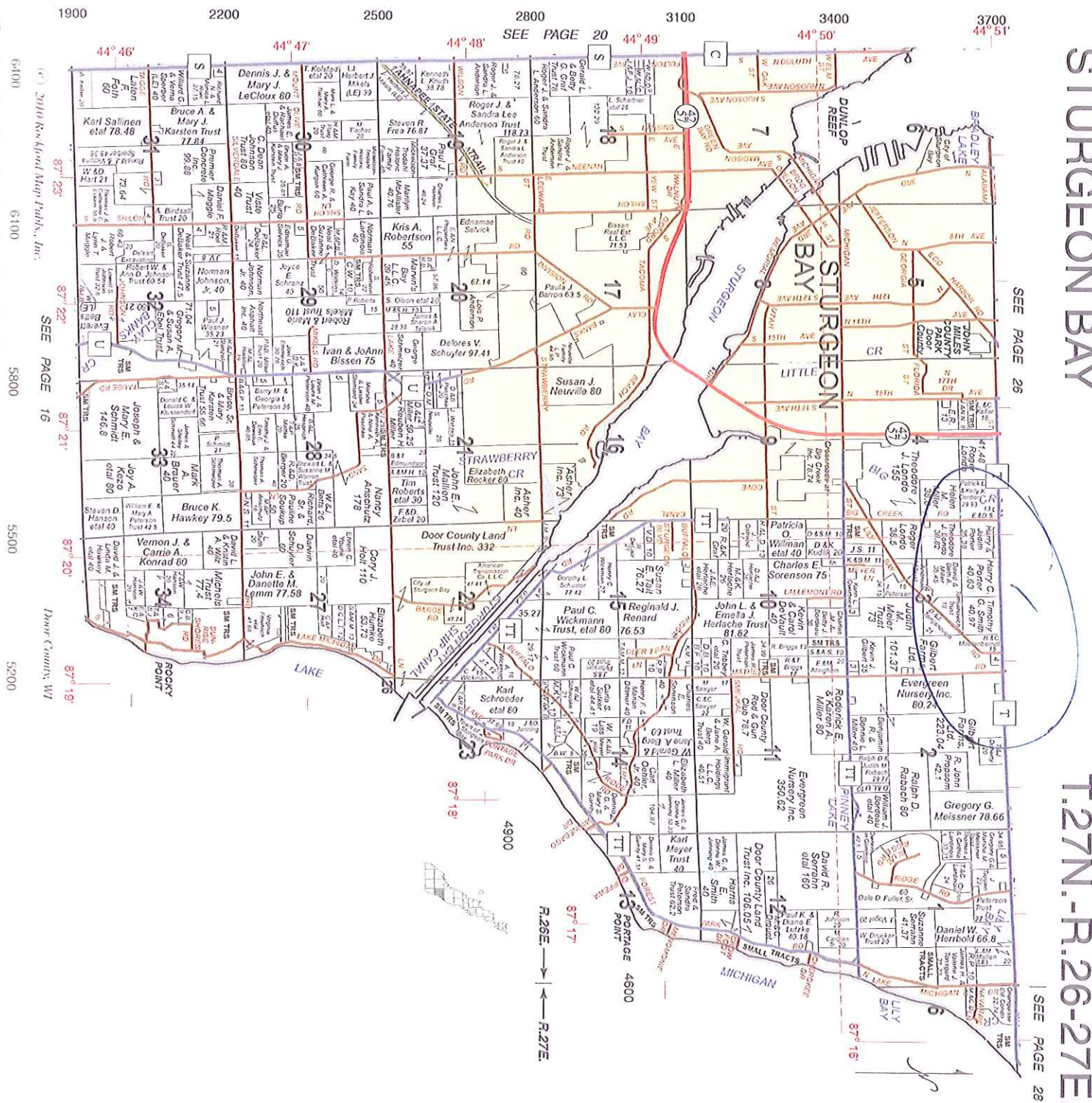
SEE PAGE 28

**PETERSON**  
PLUMBING & HEATING, INC.

**Rich Peterson - President**  
RESIDENTIAL & COMMERCIAL  
SALES • SERVICE • PARTS



MP# 230870







Wisconsin Department of Agriculture, Trade and Consumer Protection

2811 Agriculture Drive, PO Box 8911, Madison, WI 53708-8911

**Effective Date: April 01, 2013**  
**Expires: March 31, 2014**  
**Statute: 95.60**

**Registration Number: 113071-AQ**

## Fish Farm Registration

Legal Name:

**Harry C Porter**

Business Location:

E5395 County Road T Sturgeon Bay WI  
54235-9690

Doing Business As:

Porter's Pines

Livestock Premises Code(s): 006Y0RN

**Type 1 Fish Farm**

STATE OF WISCONSIN  
DEPARTMENT OF NATURAL RESOURCES

NATURAL WATERBODY PERMIT  
PERMIT # 16-NE-3928

APPLICANT INFORMATION

HARRY PORTER  
PORTER'S PINES  
E5395 CTY T  
STURGEON BAY, WI 54235

PERMIT CONDITIONS

1. This permit authorizes use of a natural body(s) of water as a fish farm, to propagate or rear the fish species identified on your permit application form #3600-227, except where modified by the conditions of this permit. The specific natural body(s) of water authorized are: 1 pond, 150x500 feet in size
2. This permit authorizes only those fish farming activities specified on your permit application form #3600-227. If you plan to alter any of the fish farming activities, you must first notify the Department.
3. You are responsible for obtaining any other federal, state or local permits or approvals that may be required for the construction and/or operation of your fish farm.
4. You must keep a copy of this permit at the location of the fish farm at all times.
5. Your acceptance of this permit and operation of the fish farm signifies that you have read, understood and agreed to follow all conditions of this permit.
6. Upon reasonable notice, you shall allow access to your project site during reasonable hours to any Department employee who is investigating the fish farm's operation, maintenance or compliance with this permit.
7. The Department may modify or revoke this permit if the project is not operated in accordance with this permit, or if the Department determines the activity is detrimental to the public interest or private rights.
8. In accordance with section 29.734, Wisconsin Statutes, the fish farm body of water must be equipped with barriers that prevent the passage of fish between it and the other waters of the state.

FINDINGS OF FACT

1. HARRY PORTER has filed an application pursuant to section 29.733, Wis. Stats., for a permit to use a natural body of water for fish farming. The waterbody(s) are in the Town of Sturgeon Bay, located in the NENW 1/4 of Section 3, Town 27N, Range 26E, Door County.
2. Pursuant to section 29.733, Wis. Stats., the department has made the following determinations:
  - a. The land riparian to the water body is owned, leased or controlled by the fish farm owners;



- b. None of the owners of the fish farm or of the riparian land provide access to the body of water by means of an easement or other right-of-way to the public;
  - c. The body of water is a preexisting fish rearing facility as defined in s. 29.001(64), Wis. Stats.
- 3. The Department of Natural Resources and the applicant have completed all procedural requirements, and the project as permitted will comply with all applicable requirements of Sections 1.11, 29.733 and 283, Wisconsin Statutes, and Chapters NR 16, 102, 103, 115, 116, 117, 150, and 299, Wisconsin Administrative Code.
  - 4. Under section 29.733(2)(b), Wis. Stats., for preexisting fish rearing facilities, the department has not made any determination that no substantial public interest exists in the body of water or that no public or private rights in the body of water will be damaged.
  - 5. The department has not reviewed this fish farm operation for compliance with other regulatory requirements, including chapter 30 or 31, Wis. Stats. permits, Wisconsin Pollution Discharge Elimination System (WPDES) requirements, or any other Statutes or Administrative Codes not listed above.

#### CONCLUSIONS OF LAW

- 1. The Department has the authority under s. 29.733, Wis. Stats. and NR 16-Subchapter II, Wis. Adm. Code to issue a permit allowing the use of a natural body of water for operation of a fish farm.
- 2. The proposed fish farm operation conforms to the review standards of section 29.733, Wis. Stats. and NR 16-Subchapter II, Wis. Adm. Code.

#### ORDER

IT IS THEREFORE ORDERED THAT the application of Mr. HARRY PORTER, for a permit to use a natural body of water as a fish farm pursuant to s. 29.733, Wis. Stats., in the Town of Sturgeon Bay, Door County, be, and the same hereby is, APPROVED.

#### NOTICE OF APPEAL RIGHTS

If you believe that you have a right to challenge this decision, you should know that the Wisconsin statutes and administrative rules establish time periods within which requests to review Department decisions shall be filed. For judicial review of a decision pursuant to sections 227.52 and 227.53, Wis. Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to file your petition with the appropriate circuit court and serve the petition on the Department. Such a petition for judicial review shall name the Department of Natural Resources as the respondent.

To request a contested case hearing pursuant to section 227.42, Wis. Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to serve a petition for hearing on the Secretary of the Department of Natural Resources, P.O. Box 7921, Madison, WI,



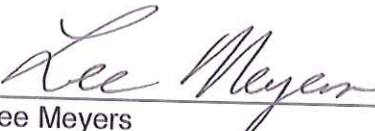
53707-7921. The filing of a request for a contested case hearing is not a prerequisite for judicial review and does not extend the 30-day period for filing a petition for judicial review.

A request for contested case hearing must follow the form prescribed in section NR 2.05(5), Wis. Adm. Code, and must include the following information:

1. A description of the Department's action or inaction which is the basis for the request;
2. The substantial interest of the petitioner which is injured in fact or threatened with injury by the Department's action or inaction;
3. Evidence of legislative intent that this interest is not to be protected;
4. An explanation of how the injury to the petitioner is different in kind or degree from the injury to the general public caused by the Department's action or inaction;
5. That there is a dispute of material fact, and what the disputed facts are;
6. The statute or administrative rule other than s. 227.42, Wis. Stats., which accords a right to a hearing.

This notice is provided pursuant to section 227.48(2), Wis. Stats.

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES  
For the Secretary

by   
Lee Meyers  
Regional Fisheries Expert

January 13, 2003  
Date